

LAW OFFICES OF
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A PROFESSIONAL CORPORATION
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PAUL V. MELODIA (State Bar #36065)
MATTHEW D. DAVIS (State Bar #141986)
ATTORNEYS FOR PLAINTIFF

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JANICE PASSANISI,

Plaintiffs,

v.

TEREX CORPORATION; TEREX CRANES;
GUIFFRE BROS. CRANES, INC.; and DOES
ONE through FIFTY, inclusive,

Defendants.

Case No. c 05-01556 SBA

**STIPULATION AND ORDER RE FILING
OF FIRST AMENDED COMPLAINT**

The undersigned parties stipulate that plaintiff shall be permitted to file the document attached as Exhibit 1 to this stipulation as an Amended Complaint. This Complaint is substantially similar to the original Complaint, the significant differences being a change in the caption to reflect that the action has been removed to federal court, and the naming of Terex RO Corporation as a new defendant. The defendants that have already answered the original Complaint shall not have to answer the Amended Complaint. Rather, their answers shall be deemed to be applicable to the amended complaint.

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1 Dated:

WALKUP, MELODIA, KELLY,
WECHT & SCHOENBERGER

6 Dated:

MATTHEW D. DAVIS
Attorney for Plaintiff

LOMBARDI, LOPER & CONANT

11 Dated:

MATTHEW CONANT
Attorney for Defendant Giuffre Bros.

CARROLL, BURDICK & McDONOUGH

16 IT IS SO ORDERED.

17 Dated: __10/28/05

LARRY B. PANEK
Attorney for Defendants Terex Corporation
and Terex Cranes, Inc.



SAUNDRA BROWN ARMSTRONG
United States District Court Judge